



PATENT APPLICATION
Attorney Docket No. Q64288

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of

Christian Oldendorf, Franz-Josef Melcher, and Christoph Berg

Reissue Application of U.S. Patent
5,902,965 issued on May 11, 1999

Filed: Herewith

For: ELECTRIC BALANCE FOR CORRECTING MISLOADING THEREOF

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175

RECEIVED
JUL 23 2002
1C-2800 MAIL ROOM
FILED
MAY - 8 2001

As a below named inventor, I hereby declare and state as follows:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am an original, first and joint inventor of the invention ELECTRIC BALANCE FOR CORRECTING MISLOADING THEREOF, which is described and claimed in the above-identified U.S. Patent No. 5,902,965, issued May 11, 1999, and assigned to SARTORIUS AG, a copy of the patent of which is submitted with this application for reissue and which is amended by the Preliminary Amendment filed concurrently with this application for reissue; and that I have reviewed and understand the contents of the specification, including the claims, as amended in this application for reissue.

In compliance with 37 C.F.R. § 1.175(a)(7) and 1.63(b)(3), I hereby acknowledge my duty to disclose information of which I am aware which is material to patentability as defined in 37 C.F.R. § 1.56.

Priority is claimed under 35 U.S.C. § 119 from March 5, 1994, based on German Patent Application No. DE 44 07 433.

In compliance with 37 C.F.R. §§ 1.175(a), I hereby declare and state that the above-identified U.S. Patent No. 5,902,965 is believed to be at least partly inoperative for the reason that we claimed less than we had the right to claim in the patent.

The purpose of seeking a reissue patent is to correct the insufficiency in the patented claims by presenting new claims which are commensurate with the true scope of our invention.

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175
REISSUE APPLICATION OF U.S. PATENT NO. 5,902,965

Pursuant to 37 C.F.R. § 1.175(a)(1), I state that there is at least one error in the patent, which error is relied on as a basis for this reissue. Claim 1 of U.S. Patent No. 5,902,965 patent recites an electronic means to subtract the weight of the second ingredient called for in said recipe from the weight of the second ingredient in the weighing container. However, our invention is not limited to processing having this electronic means; rather, our invention can be practiced using other algorithms. Another error is that claim 1 of U.S. Patent No. 5,902,965 patent recites a display means to show the amount of the first ingredient needed to establish the correct ratio. However, our invention can also be used to display amounts of other ingredients, including later added ingredients needed to establish a correct ratio with previously added ingredients.

Pursuant to 37 C.F.R. § 1.175(a)(2), I state that all errors being corrected in the reissue application up to the time of filing this declaration arose without any deceptive intention.

I hereby appoint John H. Mion, Reg. No. 18,879; Donald E. Zinn, Reg. No. 19,046; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Robert G. McMorrow, Reg. No. 19,093; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Brian W. Hannon, Reg. No. 32,778; Abraham J. Rosner, Reg. No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102; Brett S. Sylvester, Reg. No. 32,765; Robert M. Masters, Reg. No. 35,603; George F. Lehnigk, Reg. No. 36,359; John T. Callahan, Reg. No. 32,607; and Steven M. Gruskin, Reg. No. 36,818 as my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175
REISSUE APPLICATION OF U.S. PATENT NO. 5,902,965

Second Inventor (Deceased):

Franz-Josef	Middle Initial	Melcher
First Name		Last Name

Residence: Hardegsen, Germany

Signature: Rudolf Köhler
(Rudolf Köhler, legal representative for Franz-Josef Melcher, deceased)

Date: May 03. 2001

Post Office Address: Rosenstrasse 18, 37171 Hardegsen, GERMANY

Citizenship: German

Legal Representative for Deceased Inventor:

Rudolf	Middle Initial	Koehler
First Name		Last Name

Residence: Goettingen, GERMANY

Signature: Rudolf Köhler

Date: May 03. 2001

Post Office Address: An der MUEHLE 11A, 37075 Goettingen, GERMANY

Citizenship: German

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175
REISSUE APPLICATION OF U.S. PATENT NO. 5,902,965

Third Inventor:

Christoph **Berg**
First Name Middle Initial Last Name

Residence: Goettingen, GERMANY

Signature: Christopher Berg

Date: May 03, 2001

Post Office Address: Maria-Goeppert-Weg 29, Goettingen, GERMANY 37077

Citizenship: German